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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,534	12/08/2003	Rebecca C. Weiss	MS1-1718US	3032
22801	7590	11/26/2008		
LEE & HAYES PLLC 601 W Riverside Avenue Suite 1400 SPOKANE, WA 99201			EXAMINER PHILIPPE, GIMS S	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 11/26/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/730,534	<b>Applicant(s)</b> WEISS ET AL.	
	<b>Examiner</b> Gims S. Philippe	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/11/08</u> .  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. Applicant's amendment received on August 20, 2008 in which claims 1, 10-11, 17, 21, 27, 31, 37 and 41 were amended, has been fully considered and entered, but the arguments are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 13-15, 17-20, 22-30, 32-34, 37, 39-40, 42-44, and 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nallur et al. (US Patent Application Publication no. 2008/0037957) in view of Yonemitsu et al. (US Patent no. 5,140,437).

Regarding claims 1, 17, 27, and 37, Nallur discloses in fig. 1 a computing device and method for processing input media in a computing device (See Abstract and paragraph [0014], lines 1-8), the method comprising caching a reconstructed frame according to a set of criteria (See paragraph [0030, lines 1-6, 27-33); receiving a request to scrub to a

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predictive frame of input media (See [0031], lines 1-9); and responsive to receiving the request, decoding the predictive frame (See [0056], lines 1-7).

It is noted that while Nallur provides the request to scrub in [0056] and identifies the I frame from the MPEG-2 stream in [0050], it is silent about starting with the reconstructed frame as specified in the claims.

Yonemitsu discloses processing input media as requested including the steps of starting from with reconstructed frame (See Yonemitsu figs. 2-3, and col. 6, lines 14-28). The applicant should note that the Intraframe is the first and "reconstructed frame" where the scrubbing/playback will start.

Therefore, it is considered obvious that one skilled in the art at the time of the invention that one skilled in the art at the time of the invention would recognize the advantage of placing a request for scrubbing where such request would start with the reconstructed frame. The motivation for performing such a step is to be able to identify the Intraframe of each sequence to facilitate either forward or reverse playback as well as trick play (See Yonemitsu col. 2, lines 29-36). The applicant should note that the different criteria are disclosed in Nallur [0055], lines 1-5.

As per claims 2-3, 8, 10, 15, 18, 20, 23-24, 28, 30, 32-34, 40, 42-43, 47, 50-51, Nallur further suggest caching by a component in a media pipeline (See Nallur [0030, lines 27-42).

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As per claim 46, the input device (keyboard or mouse of [0017]) will allow the enabling and disabling of the reconstructed frame of the computing device

As per claims 7 and 22, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Nallur further discloses the input media specifying the timeline of the latest reconstructed frame (See [0032]).

As per claims 4-6, 44 and 48, Nallur further discloses caching wherein the caching is responsive to playback of the input media, and wherein the caching is responsive to detection of a reverse playback operation (See Nallur [0031]).

As per claims 9, 19, 29, 39 and 49, most of the limitations of these claims have been noted in the rejection of claims 1, 17, 27 and 37. In addition, Nallur further discloses the criteria based on periodic time interval (See [0052]), decoded frame size and available system memory, requesting an application playback rate (See [0052]).

4. Claims 11-14, 16, 21, 31, 35-36, 38, 41, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nallur et al. (US Patent Application Publication no. 2008/0037957) in view of Yonemitsu et al. (US Patent no. 5,140,437) as applied to claims 1-10, 13-15, 17-20, 22-30, 32-34, 37, 39-40, 42-44, and 46-52 above, and further in view of Huntington et al. (US Patent Application Publication no. 2007/0011321 A1).

As per claims 11-14, 16, 21, 31, 35-36, 38, 41 and 45, it is noted that the combination of Nallur and Yonemitsu is silent about determining that there is a cached reconstructed frame representing a complete decoded version of an inter-frame of the input media, the cached reconstructive frame being associated with a time less than or equal to a time  $t_{\text{request}}$  of the predictive frame; and wherein the cached reconstructed frame is the reconstructed frame.

However, Huntington determined that there is a cache and wherein the cached frame is being associated with a timing with respect to predictive frame as specified in the claims (See Huntington paragraphs [0178-0179]).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Nallur and Yonemitsu proposed playback by incorporating Huntington's step of determining that there is a cached reconstructed frame representing a complete decoded version of an inter-frame of the input media, the cached reconstructive frame being associated with a time less than or equal to a time  $t_{\text{request}}$  of the predictive frame; and wherein the cached reconstructed frame is the reconstructed frame. The motivation for performing such a modification in Dixon is to avoid spurious timer alarms and also to allow a user to move, remove, or dock several windows as taught by Huntington.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gims S Philippe  
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